

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the matter application of L.A. TOP SHUTTLE, INC., dba SHUTTLE ONE, a California Corporation to modify its SCHEDULED SERVICE, on existing authorized service area Decision (90-96-040) stage authority (PSC-6235) to certain portions of Los Angeles County, Orange County, Riverside County, Ventura County and San Bernardino County on one hand and Los Angeles International Airport (LAX), Orange County Airport (SNA) and Ontario Airport (ONT) on the other hand.

Application 01-11-048

**ASSIGNED COMMISSIONER'S SCOPING MEMO AND RULING**

A telephonic Prehearing Conference (PHC) in this proceeding was held on April 22, 2002, before Administrative Law Judge (ALJ) Sheldon Rosenthal. Participating were E. Nazemzadeh for Applicant, John E. deBrauwere for Protestant The Airport Bus, and Michael S. Mitchell for Protestant MSSS. The PHC established that there were disputed matters between the parties that could not be resolved without a public hearing.

Issues to be raised at the evidentiary hearing include:

1. Whether there is a need for the Applicant's proposed service;
2. Whether Applicant has the financial resources to provide the service;
3. Whether Applicant is conducting present operations beyond the scope of its authority;

4. Whether Applicant is currently providing scheduled service;
5. Whether the president of a corporation can represent that corporation before this Commission;

During the PHC it was agreed that there would be an open exchange of information between the parties. Should there be a dispute in this regard the matter would be brought to the attention of the assigned ALJ by means of a conference call. The parties also agreed on hearings to be held on June 18-19, 2002 starting at 10 a.m. at the Commission Courtroom in Los Angeles, California.

The following schedule is established for this proceeding:

- |                              |                   |
|------------------------------|-------------------|
| 1. Evidentiary hearings      | July 25-26, 2002  |
| 2. Concurrent opening briefs | August 16, 2002   |
| 3. Concurrent reply briefs   | August 26, 2002   |
| 4. ALJ decision              | October 21, 2002  |
| 5. Commission decision       | November 21, 2002 |

If briefs are not required, this decision date will be advanced.

This matter was tentatively designated to be a ratesetting matter. That designation is affirmed. It was tentatively determined not to require a hearing. A hearing is now required.

**IT IS RULED** that:

1. The Administrative Law Judge is the Principal Hearing Officer
2. The preliminary designation of this proceeding as ratesetting is affirmed.
3. The issues to be determined include those stated in the body of this Memo

4. The schedule to be followed is as stated in the body of this Memo.

Dated May 9, 2002, at San Francisco, California.

/s/ GEOFFREY F. BROWN

Geoffrey F. Brown  
Commissioner

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Assigned Commissioner's Scoping Memo and Ruling on all parties of record in this proceeding or their attorneys of record.

Dated May 9, 2002, at San Francisco, California.

/s/ JACQUELINE GORZUCH  
Jacqueline Gorzuch

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.